

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

400J0323

HOUSE ENGROSSED NO. **HB 1023** - 01/22/2004

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
Department of Agriculture

1 FOR AN ACT ENTITLED, An Act to revise the scope of services provided by the state fire
2 equipment shop and to authorize the shop to charge for costs incurred for rural fire
3 assistance programs.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 34-31-6 be amended to read as follows:

6 34-31-6. The ~~secretary of agriculture or his designee~~ Department of Agriculture shall operate
7 a fire equipment shop to acquire and renovate equipment and distribute fire equipment, supplies
8 and parts, that are not available through the Bureau of Administration, and federal and state
9 excess vehicles and property to counties and ~~volunteer rural~~ fire departments or districts for the
10 suppression of rural fires. The department may charge recipients for reasonable direct and
11 indirect costs of providing such rural fire equipment, vehicles, and supplies to counties and rural
12 fire departments or districts. The department may administer federal and state cost assistance
13 programs related to such rural fire protection. The vehicles and property may be provided with
14 clear title by the ~~division~~ department to counties and ~~volunteer rural~~ fire departments or districts,
15 or the title may be retained by the state or federal government.



Section 2. That § 34-31-8 be amended to read as follows:

34-31-8. Notwithstanding the provisions of § 5-23-2, the ~~secretary of agriculture or his~~
~~designee~~ Department of Agriculture may purchase used motor vehicles and equipment at
auctions of federal and state surplus property, or from public and private utility companies,
irrespective of whether or not the sellers of ~~said~~ the vehicles are licensed dealers as required by
§ 5-23-2, for distribution to fire departments or districts for fire suppression. The department
may charge recipients for reasonable direct and indirect costs of providing such rural fire
equipment, vehicles, and supplies to counties and rural fire departments or districts. The
department may administer federal and state cost assistance programs related to such rural fire
protection.

Section 3. That § 34-31-9 be repealed.

~~34-31-9. The secretary of agriculture may promulgate rules pursuant to chapter 1-26~~
~~concerning:~~

~~(1) The procedures for cost/share payments to the counties and volunteer fire~~
~~departments;~~

~~(2) The procedures for the acquisition and renovation of equipment; and~~

~~(3) The procedures for the distribution of federal and state excess property.~~